

To: All Members
of the Dartmoor National Park Authority

(see below)

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Date: 22 April 2009

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 1 May 2009

A meeting of the Authority's Development Management Committee will be held on the above date at **10.00 in the Meeting Room at Parke, Bovey Tracey** to consider the following matters.



Kevin Bishop
Chief Executive (National Park Officer)

Access to Information - Local Government Act 1972
(as amended)

Agenda and Reports

Copies of the Agenda and Part I reports are available for inspection by members of the public at the above address five clear days prior to the meeting. They are also published on the DNPA website prior to the meeting. A limited number of copies are available for reference at the meeting.

Background Papers

The Background Papers relating to Part I reports, except any containing exempt information, can be inspected by members of the public at the above address between the hours of 9:00 am and 4:30 pm, Monday to Friday, by prior arrangement.

AGENDA

PART I - OPEN PROCEEDINGS

1 Welcome and Apologies

2 Minutes of the meeting held on Friday 3 April 2009 – attached (Page 1)

3 **Declarations of Interest**

Members are invited to declare any personal or prejudicial interest relating to any agenda item at this stage in the meeting.

4 **Items Requiring Urgent Attention**

5 **Site Inspections**

Report of the Director of Planning & Sustainable Development (NPA/DM/09/025) (Page 14)

6 **Applications for Determination by the Committee**

Report of the Director of Planning & Sustainable Development (NPA/DM/09/026) (Page 20)

7 **Monitoring and Enforcement**

Report of the Director of Planning & Sustainable Development (NPA/DM/09/027) (Page 37)

8 **Appeals**

Report of the Director of Planning & Sustainable Development (NPA/DM/09/028) (Page 40)

9 **Applications Determined Under Delegated Powers and Applications Withdrawn**

Report of the Director of Planning & Sustainable Development (NPA/DM/09/029) (Page 44)

11 **Appointment of Site Inspection Panel and Arrangements for Site Visits**

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED.

NIL

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:

T Archer, S D Barker, P Cook, M C Date, P Harper, P W Hitchins (Deputy Chairman),
L J G Hockridge, N Hoskin (Chairman), A Hosking, M Jeffery, Miss H Jenny, D Lloyd,
Mrs C Marsh, J McInnes, Mrs S Morgan, I Mortimer, Miss D Moyse, S Purser,
M H Retallick, T Smale, D W Webber J Young

Members Interests

Agenda Item 2 - Declaration of Interests

Members are invited to consider whether they have a personal interest to declare in the following agenda items in consequence of their membership of a County/District and/or Parish Council as follows:

	Site Inspections	0629/08 – Old Sugar Mill, Harford Bridge, Tavistock	Applications For Determination by The Committee	0116/09 – Station Cottage, Station Road, Yeilverton	0740/08 – Barn 'A', Easten Bowtan Farm, Grenofen	0066/09 – 3 Didworthy Bungalows, Didworthy	0102/09 – 39 Brakefield, South Brent	0111/09 – Leigh Bridge Farm, Chagford	Monitoring & Enforcement	ENF/0177/08 – Hillside, Merrivale
Mr Archer										
Mr Barker		C		C	C	C	C	C		C
Mr Cook		C		C	C	C	C	C		C
Mr Date										
Mr Hitchins						D	D			
Mr Hockridge		D		D	D			D		D
Mr Hosking		C		C	C	C	C	C		C
Mr Jeffrey										
Mrs Marsh		CD		CD	CD	C	C	CD		CD
Mr McInnes		CD		CD	CD	C	C	CD		CD
Mrs Morgan		C		C	C	C	C	C		C
Miss Moyse		D		D	D			D		D
Mr Purser										
Mr Retallick										
Mr Webber										
Mr Young		D		D	D			D		D

Members will also be asked at the meeting to declare any **personal** and/or **prejudicial** interest which they may have in relation to any matter on the agenda.

DARTMOOR NATIONAL PARK AUTHORITY

DEVELOPMENT MANAGEMENT

3 April 2009

Present: T Archer, S Barker, P Cook, M Date, P Harper, B Hitchins, J Hockridge, A Hosking, N Hoskin (Chairman), M Jeffrey, Miss H Jenny, D Lloyd, Mrs C Marsh, Mrs S Morgan, I Mortimer, Miss D Moyse, S Purser, M Retallick, T Smale, D Webber, J Young

Apologies: J McInnes

1059 Minutes of the meeting held on Friday 6 March 2009

That subject to the following amendment:

Minute 1055, Consultations by Neighbouring Local Authorities, the missing Parish to read Drewsteignton.

It was agreed that the minutes of the meeting held on Friday 6 March 2009 be signed as a correct record.

1060 Declarations of Interest

The Chairman noted that Members had received correspondence in relation to the following items:

Site Inspections Item No. 0010/09 – Higher Cator, Haytor; 0792/08 – Higher Natsworthy, Widecombe-in-the-Moor, 0032/09 – land to the east of Brinning Lane, opposite substation, Moretonhampstead and 0097/09 – Valley View, Whitchurch Road, Horrabridge

Mr Young declared a personal interest through personal connection it items 0039/09 – Lydford Campsite, Lydford, and 0032/09 - land to the east of Brinning Lane, opposite substation, Moretonhampstead.

Mr Retallick declared a personal interest through personal connection in item 0792/08 - Higher Natsworthy, Widecombe-in-the-Moor.

Mr Archer declared a personal interest through personal connection in item 0054/09 – Oakdene Barn, Hennock.

Mr Purser declared a personal interest through personal connection in item 0054/09 – Oakdene Barn, Hennock.

Mr Harper declared a personal interest through personal connection in item 0054/09 – Oakdene Barn, Hennock.

Mr Smale declared a prejudicial interest through personal connection in ENF/0306/07 – Higher Northway Farm, Widecombe-in-the-Moor.

Miss Moyse declared a personal interest through personal connection it item 0039/09 – Lydford Campsite, Lydford.

Mr Webber declared a personal interest through personal connection in item 0792/08 – Higher Natsworthy, Widecombe-in-the-Moor.

Mr Hosking declared a personal interest through personal connection in item 0097/09 – Valley View, Whitchurch Road, Horrabridge.

1061 Items Requiring Urgent Attention

The New Forest Annual Development Control tour will take place on 9 April 2009. Members who had shown an interest, David Lloyd, Diana Moyse and Christine Marsh were asked to arrange transport between themselves and they were to be at New Forest HQ by 9:30 am on that day. More information will be forwarded when received.

1062 Site Inspections

The Committee received the report of the Director of Planning and Sustainable Development (NPA/09/019).

Item 1 – 0010/09 Green Oak framed replacement dwelling following demolition of existing dwelling

Speaker: Mr Broadbelt – Architect/Agent

The officer reiterated that the application was to demolish the existing bungalow and replace it with a two-storey, green oak frame dwelling. The replacement dwelling would match the height of the existing by cutting back into the sloping site, providing a new lower ground level. The new building would occupy a similar siting, and orientation, but on a U-shape plan, constructed with traditional materials using timber cladding and a slate roof.

Mr Broadbelt could not understand why the application was recommended for refusal. He felt the design to be based on local, traditional craftsmanship using traditional forms and materials and was similar in detail to other buildings such as the Haytor Visitor Centre.

The Chairman of the Inspection Panel stated that they had spent some time viewing the site and the existing property. With the exception of 1 Member who argued strongly for the retention of the iconic 1930's building, the remainder felt the principle of redevelopment was acceptable due to the age, condition and likely difficulty in sustainable modernisation.

However concerns were expressed regarding the proposed design. The majority of Members felt it was over-bearing and complicated with extremely dominant gable features and that the U-shape ground plan did not reflect the local Dartmoor characteristic of a more simpler linear form.

RESOLVED:

That planning permission be REFUSED for the reasons set out in the report.

1063 Applications for Determination by the Committee

The Committee received the report of the Director of Planning and Sustainable Development (NPA/DM/09/020).

Item 1 – 0792/08 – retention of existing chair sculpture – SX7237 7996 Higher Natsworthy, Widecombe-in-the-Moor

Speaker – Mr Brudenell-Bruce - Applicant

Mr Aven reminded Members that a two year temporary permission for the retention of the chair sculpture was granted in March 2007. The application had been deferred at last month's meeting in order to give further consideration to how the development fits within the purposes of the National Park and also accessibility issues. 14 letters of objection and 7 letters of support have been received. Three other letters had been received stating that no significant increase in traffic had been noted. The Applicant, Mr Brudenell-Bruce had also stated that, should there be any noticeable increase in traffic, he would remove the Chair himself.

Mr Brudenell-Bruce stated that he saw the chair as a celebration of the wonders of the moor it is his hope that walkers and visitors, especially children, would 'find' the chair and perhaps wonder about 'the giant' who might have sat on it. He wanted it to bring joy and laughter as well as being thought provoking and, to those brave enough to climb upon it, the wonderful, spectacular views across the valley.

Miss Moyse asked if there was a suitable area, close by, for parking. Mr Hitchins commented that, although everyone needed to have joy and laughter, the issue was one of parking and traffic. Mr Archer felt that the temporary permission had given the right amount of exposure and it was time to move on as it is not the right location. Mr Harper had recently visited the site and saw 7 cars parked in the lane causing a tractor driver to wait some time before being able to pass. He stated that considerable damage to the footpath and wall had been caused by traffic trying to pass parked vehicles and felt the chair should be relocated to a more appropriate site. Mr Mortimer was very enthusiastic and in favour of the chair, however, due to problems caused by visitor traffic, he wondered if the chair could be moved to a more appropriate location. Mr Barker stated that the merits of the chair were not the issue and felt permission could not be granted for a structure of this kind at this location. Mr Date said he passed the site at least once a week and had never encountered problems with traffic, or parking, and was in full support of the Chair. Mr Lloyd stated that although he felt it was an inspirational piece of work, the issue here was one of traffic and parking. He asked why the Highways Agency had changed its view and felt that, unless the question of parking and traffic could be resolved, permission must be refused. Miss Jenny agreed with the others about the quality and inspiration of the piece but also agreed with Mr Barker regarding the structure, not the art.

Mr France thanked the Members for a useful debate and explained that the change in Officer recommendation was in line with strong objections from the Highway

Authority which now considered the chair to be an attraction and destination in its own right.

Mr Date proposed that permission be granted subject to conditions. This was seconded by Mr Hosking. The proposal was not carried.

Miss Jenny proposed the recommendation which was seconded by Mr Harper. The Committee voted in favour of the recommendation.

RESOLVED:

That planning permission be REFUSED for the reasons set out in the report.

Item 2 – 0039/09 – conversion of 24 grassed pitches to gravelled hard-standings – Lydford Campsite, Lydford

Speaker – Mr Powne – Objector

Mr Janota explained that during wet weather some of the grassed pitches on the 120 pitch site become waterlogged and not fit for purpose. Thirty of the pitches have already been gravelled and this proposal seeks to convert another 24 grass pitches to gravel hard-standings plus an extension to the access track. Four letters of objection had been received regarding the increase of capacity of the site. The District Council had raised questions in its formal response regarding whether the site was run by the Camping and Caravan Club, in which case they would support. The Parish Council had not submitted a formal response.

Mr Powne lives directly opposite the site and is concerned at the number of applications received by the Authority over the years to extend its size. The site is becoming very large in relation to the size of the village. The access lane is very narrow and more and more large motor homes are using the site which can be quite problematic. Mr Powne is concerned at the length of time these motor homes will be allowed to stay on site, will it be for the whole season and how much larger will the site be allowed to become?

Miss Moyse wanted to know when the camping and caravanning club had relinquished the running of the campsite to the owner. Mr Hoskin reiterated that the application was for the engineering works only and not for an increase in capacity of the site. Mr Barker thought the change from grass to gravel would be of more economic benefit to the area with a wider range of vehicles being able to use the site. Mr Smale asked for an explanation of motor homes and what could and could not use the site. Mr Retallick felt that as long as the site was not being enlarged, the change from grass to gravel would be of overall benefit. Mr Young asked to see, via the power point presentation, where the pitches to be gravelled were in line with neighbouring properties. Mr Mortimer changed his view as he had not realised that there were two things to consider ie the extension of the track and the graveling of the hard-standing. Miss Moyse felt very strongly that permission should not be granted, the lane to the site being very narrow and unsuitable for large vehicles, also there are no local shops, other than on the site that would benefit economically. Mr Lloyd asked if another form of hard-standing, such as grass-crete, could be considered to help reduce the visual impact. Mr Jarvis replied that various levels of success had been attained using grass-crete, however,

Members had to consider the application before them. Ms Marsh asked if it could be seen from the moor.

At this point it was noted that a member of the public was tape recording proceedings. Mr Walledge pointed out that this was not acceptable and that the person should either cease recording, or leave the room. He also reiterated that the identity of the applicant was not relevant, the application was for the engineering works on the land, and whether the site was for tents, caravans or motor homes was not the issue.

Mr Walledge also reminded Members that any Member who had not been in the room for the entire debate should not vote.

Mr Harper proposed the recommendation which was seconded by Mr Barker. The Committee voted in favour of the recommendation.

RESOLVED:

That permission be GRANTED.

Item 3 – 0762/08 – Timber deck and steps to replace existing stone terrace and steps – 3 Beacon Cottages, Buckland-in-the-Moor

Mr Hart reiterated the chronology of events. Planning permission was granted in March 2008 for an area of decking measuring 9m x 1.8m to be erected at the rear of the property over an existing raised stone terrace. However, the Authority was notified in July 2008 that what was built differed considerably to that approved. The built area measures approximately 11.8 x 4.2m and runs the full width of the rear of the property. At its highest point it stands approximately 3.5m above the existing sloping ground level.

Mr Archer felt that the built structure was overbearing. Mr Smale felt the impact was obtrusive. Mr Lloyd asked if it were visible from the open access land. Mr Hart replied that the garden was well concealed by trees which reduced the visibility from the open access land. Ms Jenny felt the Authority had been very generous with the first approval and that this was too much.

Mr Archer proposed the recommendation which was seconded by Mr Smale. The Committee voted in favour of the recommendation.

RESOLVED:

That, subject to the consideration of any amended drawings, planning permission be REFUSED for the reasons set out in the report.

Item 4 – 0777/08 – Alterations and repairs for conversion of threshing barn for residence and change of use from agricultural to domestic use – barn at Cuma Court South, Drewsteignton

Speaker: Mrs Fletcher-Neal

The officer explained that the scheme was presented as a way of preserving and enhancing the character of the historic farmstead. None of the buildings are listed but they possess qualities making them worthy of conservation. Due to the farm's isolated position and the access to it via single track roads and a steep, un-surfaced drive, there are few options for suitable alternative business uses. Commercial agents had been engaged by the applicants and have confirmed that considerable expense would be required to adapt the buildings for such use. The proposal to convert the barn is supported by the historic buildings officer, as a way of preserving the building.

Mrs Fletcher-Neal stated that she and her husband farm 106 ha of land surrounding the farmstead. They have an underlying commitment to farming and their farmstead. The conversion of the threshing barn into a family home would enable them to conserve the building whilst also better managing the farm. They are both fully committed to preserving the barn.

Mr Smale asked if removing the modern piggery and silos would not have some impact on the farm practice. Mrs Fletcher-Neal replied that the barns were already redundant. Mr Cook asked for conditions regarding mitigation measures and if a bat survey had been undertaken. Mrs Fletcher-Neal informed him that a bat survey has shown that whilst some have been spotted flying around at night, there is no evidence of them roosting there. Mr & Mrs Fletcher-Neal are quite willing to do whatever is necessary should this change.

Mr McKay spoke of the benefits of granting permission for the conversion of the 18th century building.

As the building was not listed Mr Mortimer was unsure about granting permission in what is virtually open countryside and suggested a site inspection. Mr Smale moved for approval. Mr Date queried the 'schedule of repairs' and whether there would be a time line for the work to be undertaken. Mr France informed him that this was the case. Mr Retallick was in favour of preserving the cob building by the means set out. Mr Lloyd queried whether the departure from the Core Strategy might be overcome by attaching an agricultural tie to the building. He was informed that the conversion was not being proposed as an agricultural dwelling. Mr Cook queried what mitigation actions were in place for barn owls and bats. He was informed that if there were no evidence of such creatures, then it would be wrong to place such conditions on the permission.

The proposal for a site inspection was not seconded.

Mr Smale proposed the recommendation which was seconded by Mr Jeffery. The Committee voted in favour of the recommendation.

RESOLVED:

That, subject to the application being advertised as a departure from the Core Strategy and to the completion of a legal agreement to ensure improvements, including the removal of the modern barn, grain silos and piggeries, permission be GRANTED subject to the conditions detailed in the report.

Item 5 – 0032/09 - Erection of two buildings for overwintering of livestock, calving and lambing (14m x 13.7m) – land east of Brinning Lane opposite substation, Moretonhampstead (SX 752 857)

Speaker: Mr Pollard - Applicant

The officer pointed out that he was not in receipt of any detail regarding the barns, other than their size. The two newly proposed buildings are smaller in size, but their cumulative visual impact will be much the same as that previously found to be unacceptable at this location. The applicant has suggested that landscaping could be undertaken, however, there is no detailed scheme for consideration and it is unlikely that landscaping in itself would overcome the concern about the impact of buildings of this size.

Mr Pollard stated that originally, Devon County Council had designated the site for a new school however this had now been built elsewhere. He was puzzled that the Parish Council had no objections with his original application for a larger building, but had reservations with his application for the two smaller ones, which had been reduced in size by 25%. He stated that he needs the buildings for the overwintering of his livestock and lambs and ewes. He had received a letter of support from the NFU stating his case and if this application is refused, he will appeal.

Mr Retallick declared a personal interest as the applicant is known to him.

Mr Jeffery had attended the site inspection for the larger barn and felt that Mr Pollard had addressed the concerns raised, he moved for approval. Mr Mortimer stated that if the visual impact could not be addressed he would go with the recommendation. Mr Retallick agreed with Mr Jeffery, he also felt that landscaping would offset the visual impact and queried whether two smaller buildings would mean a lower ridge height. Mr Hart was doubtful that this would be the case as the original building was set lower down the field the new buildings are set higher so there would not be much difference. Mr Harper queried if the proposal was for the buildings to be cut into the land. Once again, the officer reiterated that no detailed information had been received. Mr Smale stated that the Committee could not consider a detailed planning permission if the detail was not there. Mr Lloyd queried the relation of the building to the road way. Mr Archer reiterated the lack of detail and suggested the building might be accommodated if it were cut into the land. He suggested a deferral of one month to enable the applicant to get a detailed landscaping scheme together. Mr France clarified the reasoning for the deferral; to receive detailed information relating to site levels, landscape scheme and plans showing a yard area, access and any associated development. A deferral for longer than one month was likely.

Mr Mortimer proposed the recommendation which was seconded by Mr Smale. The proposal was not carried.

Mr Archer proposed a deferral which was seconded by Mr Purser. The Committee voted in favour of a deferral.

RESOLVED:

That the matter be DEFERRED to enable the applicant to present details of access, site levels, landscaping, and the yard area.

Item 6 – 0052/09 - Retrospective application for the use of a wooden cabin as an office, agricultural workspace and store – Rock Valley Farm, Doccombe, Moretonhampstead

WITHDRAWN

Item 7 – 0054/09 - Raise ridge height of existing roof by 1m – Oakdene Barn, Hennock

Speaker – Mr Ford - Applicant

Mr Walledge pointed out that this was the subject of ongoing enforcement action and that Members should be aware that anything they said could be used at a Public Inquiry due to take place very soon.

The officer reminded Members that this application was for the retention of the unauthorised works undertaken to the roof.

Mr Ford felt that the colour of the material used blended in well with the surrounding buildings and that from a distance looked like tiles. The roof had been in place for three years without objection and that if the roof were lowered, problems with leakage in bad weather would occur.

Mr Archer was concerned by Mr Walledge's comments regarding the public inquiry and asked if Members were being restricted in what they said. Mr Walledge reminded Members that what they said was up to them.

Mr Archer had been approached by the Parish Council to attend a site visit. He felt the ridge height was not a problem, rather the materials used, and he had a problem with the recommendation for refusal. Mr Purser agreed with Mr Archer however the issue was the application to hand. Mr Retallick had looked at other houses in the vicinity and could see no impact due to the colour of the roofing material. Mr Mortimer felt that if the work to the raise the ridge height had already taken place, then the recommendation should be for approval. Mr Harper pointed out that it was not only the raising of the height but the design of the roof also, including the haphazard rooflights and the appropriateness of them. Mr Jarvis reminded everyone that the raising of the ridge height was not an issue here, rather the general design of the new roof and the haphazard arrangement of rooflights.

Miss Jenny proposed the recommendation which was seconded by Mr Harper. The Committee voted in favour of the recommendation.

RESOLVED:

That permission be REFUSED for the reasons set out in the report.

Item 8 – 0714/08 - Variation of condition 2 of permission 0878/02 (ancillary use) to allow studio to be used as holiday let – Catalpa Barn, Lower Coombe, Buckfastleigh

The officer informed Members that Catalpa Barn had been partially converted to domestic ancillary use and was used by the applicant's family for temporary accommodation at holiday times, such as Easter and Christmas. This application seeks to use the studio as short-let holiday accommodation with a condition that a log-book be kept, readily available for viewing, to monitor the situation.

Mr Barker moved for approval as set out providing the short let was clearly defined in the conditions. Mr Purser wanted assurance that the log book would be kept up to date and regularly available for monitoring purposes. Mr France to ask the applicant to issue the log book to the Authority on a yearly basis.

Miss Moyle asked about highways issues. Mr France explained the highways officer's wording which needed to be interpreted within the context of whether the proposal complied with planning policy

Mr Purser proposed the recommendation which was seconded by Mr Barker. The Committee voted in favour of the recommendation.

RESOLVED

That permission be GRANTED subject to the conditions detailed in the report.

Item 9 – 0097/09 - Erection of dwelling (revised design from permission ref 0040/07) – Valley View (r/o The Old School), Whitchurch Road, Horrabridge

Speaker – Mr Yendle - Applicant

The officer reminded Members that permission was originally granted in 2000 for a single storey dwelling due to the site being at a higher level than the school. It is considered that the site is outside the settlement of Horrabridge and permission was only granted because it was considered to have been previously developed land.

Mr Yendle disputed the point of the site being outside the local settlement. His architect had tried to address the issues of size, design and the ridge height which had been key issues during the conversion works. He is willing to get rid of the timber cladding if this is an issue.

Mr Hosking had visited the site and was confused by how it could be outside the local settlement when he had seen other buildings within metres of it. He is in support of the application and had sought the views of neighbours, they too support the application as it is not so high and is narrower than that approved. Mr Barker was not happy with refusal reason number one. The policy regarding affordable housing was not in place when outline permission had originally been given. Mr Smale thought this design had less visual impact and wanted explanation as to why it was thought to be not as good as that approved.

After additional comments from the officer, clarifying how the proposal related to the Core Strategy settlement policies and the material circumstances of the extant permission for an open market dwelling, Mr Barker moved to grant approval with

conditions to the external finishes to the building and approval of materials to be used. This was seconded by Mr Hosking

RESOLVED:

That permission be GRANTED subject to conditions in respect of external materials, landscaping, drainage and the prior approval of further details of doors and windows.

Item 10 – 0629/08 - Erection of industrial building and alteration of access to site – Old Sugar Mill, Harford Bridge, Tavistock

Speakers – Mr Rowan – Agent
Mr Burgess - Objector

The officer stated that the existing factory is located outside the local settlement. The proposed factory will lead to the creation of 6 additional full time jobs and it is proposed to operate between 07:00 – 19:00 Mondays to Fridays and 09:00 – 18:00 on Saturdays. Following further advice from the WDBC Environmental Health Officer, noise emissions are low. The officer therefore changed the recommendation to Grant, subject to conditions regarding the use of the building, noise amelioration, operational hours, access and landscaping.

Mr Rowan explained that the existing factory produces ‘oasis’ which is used in flower arrangements and has been found to be a good insulation material. The new factory will produce insulation panels using the foam already produced. Alongside this will be the construction of timber trusses for domestic house building. The reason for the access being moved is to stop people using it as a turning area on an already dangerous bend on busy road.

Miss Moyse was concerned with highways issues regarding the bend and the junction to Peter Tavy. Mr Rowan stated he had taken advice from the County Engineer. Miss Moyse asked about possible spillage of any chemicals that might be used. Mr Rowan replied that any chemicals within the building were well controlled.

Mr Burgess stated that he lives next door and that what was once a small business had grown considerably in the last 10 years. The buildings are now within a few feet of his home and he has suffered loss of privacy as a consequence. It is a well known flood risk area and should any chemical spillage occur during a flood this would have implications on his property.

Ian Mortimer asked if moving the access would reduce impact. Mr Burgess did not think so.

Miss Moyse proposed a site visit to look at the highways and flood risk issues. Mr Hitchins felt it was a very complicated issue and seconded the proposal. The Committee voted in favour of a site inspection.

RESOLVED:

That a site inspection be held on 17 April

1064 Request for Approval of Minor Amendments

The Committee received the report of the Director of Planning and Sustainable Development (NPA/DM/09/021) - proposed amendment to height of roof for conversion of attached garage into utility room – 15 Long Park, Ashburton

Mr Hitchins proposed the recommendation which was seconded by Mr Retallick. The committee voted in favour of the recommendation.

RESOLVED:

That the minor amendments be APPROVED.

1065 Monitoring and Enforcement

The Committee received the report of the Director of Planning and Sustainable Development (NPA/DM/09/022).

Item 1 – ENF/0306/07 – Breach of agricultural occupancy condition, Higher Northway Farm, Widecombe-in-the-Moor

Speaker – Mr Mortimore

Planning permission had been granted in 2002 for an agricultural worker's dwelling at Northway Farm, subject to the usual occupancy conditions ie "be occupied only by persons solely or mainly working, or last working in the locality in agricultural or forestry work... and the dependents of such persons..." In September 2007 the Authority received a complaint that the current occupier did not meet the necessary criteria and was working 30 hours per week for the NHS. She does help the landowner for about 20 hours per week. Whilst the accommodation was initially to provide a dwelling for an agricultural worker in lieu of his/her duties, the occupier is said to be an employee and paying rent.

Mr Mortimore had taken advice from the NFU regarding the amount of working hours necessary to fit the criteria, which are '50% of her working week'. His tenant now has a contract of employment and keeps a log to show how many hours she is employed by him. Her secretarial duties use up 10% of her working hours, the rest of the time is spent on the farm.

Mr Aven stated that contract of employment shows the current occupier works for 20 hours per week on the farm, which is still considerably less than the hours spent in other employment.

Miss Moyse queried that if the lady has worked on her father's farm would this not qualify her? Mr France reminded her of the wording "mainly or solely working in agriculture" and that the tenant works 30 hours per week for the NHS and only 22 hours per week for the landowner. Mr Harper thought that if the amount of hours spent working on the farm was the issue would it be possible to change the condition to local use, rather than agricultural use.

Mr Walledge advised the Committee that the principle behind the policy was the working hours and working week. Does the occupier fit the test of the planning condition? The test is if the person occupying has a single source of employment, within agriculture, does it amount to 20 or more hours a week? For a person with more than one source of employment, then the test is about the proportion of time spent working on the farm. If action is not taken this dwelling will become an open market dwelling in time.

Mr Retallick asked if the current occupier would qualify to live at the property if it were considered for 'local need'. Mr France advised that it would have to be advertised for one year to show that the agricultural need was no longer there. The current planning policy would then in principle allow the condition to be replaced with a local occupancy tie.

Mr Barker queried the timing of the enforcement action that had been debated at the last meeting. If the dwelling were advertised now, would there be a chance that the enforcement action would take 12 months?

Mr Walledge advised that enforcement reports never gave a timetable, he always advises that any action to take not less than three months not more than six.

Mr Aven stated that the Authority had recently successfully argued an appeal on a similar case and reiterated that if immediate action was not authorised this could become an open market house.

Mr Archer stated that he would like to help this lady stay in her home, but cannot see any other way forward.

Ian Mortimer proposed the recommendation which was seconded by Mr Hitchins. The Committee voted in favour of the recommendation.

RESOLVED:

That the appropriate legal action be taken to secure compliance with the agricultural occupancy condition.

Item 2 – ENF/0215/08 – Unauthorised residential mobile home – Moor Lea, Haytor Vale

Speaker – Mr Cooper - Owner

Mr Cooper stated that he had not received official notice from the Authority of the day's proceedings. He stated that the mobile home had been on the land for since 2000 and he had a delivery note to prove this. He was unaware that the mobile home did not fall within permitted development rights. His son lives there on a part time basis and has done so for the about 12 months.

Mr Young asked if there had been a mobile home on the site for 15 years or more as stated in the officer's report. Mr Cooper replied no, however there had been sheds where the mobile home is now sited, within the curtilage of the main building.

Mr Aven pointed out that if the mobile home had been there for less than 10 years then it is still liable to enforcement action for being unlawfully sited.

Mr Retallick confirmed that a structure had previously been on the site, but not a mobile home.

Mr Purser asked for clarification on whether the mobile home was the main accommodation for Mr Cooper's son.

Mr Barker proposed deferral for further clarification.

RESOLVED:

That the matter be deferred to allow for further clarification.

1066 Appeals

The Committee received the report of the Director of Planning and Sustainable Development (NPA/DM/09/023).

The Committee noted the report.

Mr Walledge informed Members that the Steward Wood Public Inquiry was scheduled to begin on Tuesday 28 April and continue through to Thursday 30 April. He invited Members to attend as and when they could to give their moral support.

He also advised that the Planning Inspector has decided to re-open the Airwave Tetra mast inquiry because the plan supplied with the application differs from that supplied with the S106 undertaking. Although this was only a minor discrepancy, members of the public have raised strong concerns and objections about the change.

1067 Applications Determined Under Delegated Powers

The Committee received the report of the Director of Planning and Sustainable Development (NPA/DM/09/024)

The Committee noted the report.

1068 Appointment of Site Inspection Panel and Arrangements for Site Visit

Site Inspection to be held on Friday 17 April 2009 – Item 0629/08 – Erection of industrial building and alteration of access to site, Old Sugar Mill, Harford Bridge, Tavistock, to be attended by Mi Hitchins, Mr Jeffrey, Miss Jenny, Miss Moyse, Mr Purser, Mr Webber and Mr Young.

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 May 2009

SITE INSPECTIONS

Report of the Director of Planning and Sustainable Development

1 Application No: **0629/08** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission** Parish: **Tavistock**
 Grid Ref: **SX501766** Officer: **Jo Burgess**

Proposal: **Erection of industrial building and alteration of access to site**

Location: **Old Sugar Mill, Harford Bridge, Tavistock**

Applicant: **Val Spicer Design**

Recommendation: **That permission be GRANTED**

Condition(s)

1. Noise Restriction
2. Door on east elevation closed 1900hrs - 2200hrs
3. Erection of fence on eastern boundary
4. Functional tie to existing business and building
5. Hours of Operation
6. Hours of HGV access
7. No external lighting
8. Development in accordance with Flood Risk Assessment
9. Materials
10. New access prior to use of new building
11. Landscaping

Members will recall that due to advice from the Environmental Health Officer the recommendation contained in the report presented to Committee on 3 April was changed to grant subject to a number of conditions. The conditions discussed at the meeting were drafted and a copy forwarded to the agent and provided to Members of the panel during the Site Inspection.

Members inspected the building, the access, the site of the proposed development and the relationship with the neighbouring residents. The mode of operation of the business was explained by the applicant during which he noted that no external lighting was proposed. It was also pointed out that the neighbour had cut down a number of trees in the vicinity of the shared boundary. The proximity of the River Burn was noted and the officer advised that the Environment Agency had accepted the Flood Risk Assessment and a condition is proposed in

this respect.

The Environmental Health Officer explained the noise issues and his change of recommendation prior to the Committee Meeting. The officer explained the conditions and the agent advised that the applicant wished to be able to operate the business until 2200hrs Mondays to Fridays rather than 1900hrs as proposed, however was offering a condition regarding the times for HGV access. The Environmental Health Officer stated that because the normal business operating hours are 0700hrs to 1900hrs a condition requiring the door on the east elevation to be closed between 1900hrs and 2200hrs would be required. The applicant indicated that he was happy with such a condition.

The Highways officer explained the improvements to visibility and access as a result of the alterations proposed. He advised that of the seven collisions that have taken place in the vicinity, none has related to the site and for this reason there is no highway objection to the proposal, provided the new building is linked to the existing and is not operated as a separate business. The planning officer explained that this was to be controlled through a condition. It was pointed out by one of the parish representatives that in the past the primary access to the site was by rail.

Members viewed the site from the neighbouring garden of the neighbours and the site for the fence requested by the Environmental Health Officer was noted.

Representatives from the adjacent Peter Tavy and Mary Tavy Parish Councils raised concerns regarding the impact of the development on the flood plain and possible impact on the nearby Caravan Park. Concerns were also raised regarding the amount of caravan parking turning right coming from Tavistock and it was suggested that further signage should be provided on the A386 warning of the access especially as the access is being moved closer to that junction. The likely impact of noise from the site on the amenity of full time and holiday residents of the Caravan Park and Wringworthy further up the valley was also raised.

There was no representative from Tavistock Town Council.

The District Council representative stated his support for the application in view of the long history of industrial use at the site and need to protect jobs.

The panel agreed unanimously that planning permission should be granted for the proposal subject to the additional conditions discussed. It was considered that the conditions should be worded carefully in order to protect the amenity of neighbours in the long term. The erection of a fence along the eastern boundary was considered essential and it was concluded that as the proposal would not have an effect on the highway safety issues at the Peter Tavy junction, any request for a contribution from the applicant towards signage or improvement would be unreasonable. It was also considered that as no external lighting exists or is proposed a condition to ensure no external lighting in the future was appropriate.

CHRIS FRANCE

10. Application No: **0629/08** District/Borough: **West Devon Borough**
 Application Type: **Full Planning Permission** Parish: **Tavistock**
 Grid Ref: **SX501766** Officer: **Jo Burgess**

Proposal: **Erection of industrial building and alteration of access to site**

Location: **Old Sugar Mill, Harford Bridge, Tavistock**

Applicant: **Val Spicer Design**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed industrial building, by reason of the position of the doors and location would have a detrimental impact on the amenity of the occupiers of the neighbouring residential property, contrary to policy CO2 of the Devon Structure Plan, the Dartmoor National Park Core Strategy Development Plan Document, in particular policy COR4, and to the advice contained in Circular 12/96 and Planning Policy Statement No 1.

The Old Sugar Mill is located north of Tavistock beside the A386.

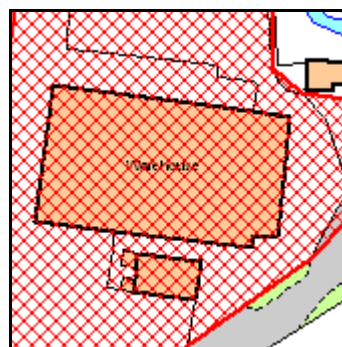
It is proposed to erect an additional industrial building to the rear of the site and alter the access to the site onto the A386.

The application is presented to the Committee in view of the comments of the Town Council and the number of letters of objection.

Location Plan



Block Plan



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Planning History

0867/06	Alterations to form new opening into factory with lean-to roof above	Full Planning Permission	Grant Conditionally	11 January 2007
0919/04	Erection of a covered way	Full Planning Permission	Grant Conditionally	22 December 2004
0564/99	Alterations to form new opening into factory with a lean-to roof over	Full Planning Permission	Grant Conditionally	12 November 1999
3/50/137/96/03	Reconstruction and roofing over an area to the rear of old motor garage to provide a chemical compound and refrigeration plant housing			

	Full Planning Permission	Grant Conditionally	06 August 1996
3/50/086/96/04	Change of use of site from class B1/B8 (light industrial/ warehousing) to B2 (general industrial)		
	Change of Use	Grant Conditionally	23 May 1996
3/50/060/93/04	Change of use of former freight depot to ambulance museum		
	Change of Use	Grant Conditionally	29 June 1993
3/50/117/92/04	Subdivision of existing building into fourteen industrial units and construction of new access		
	Change of Use	Grant Conditionally	08 March 1993
03/50/1528/91	Change of use from B1 TO B8 (business light industrial and warehousing) to A1 use (retailing)		
	Change of Use	Refused	08 January 1992
	Appeal lodged: 03 January 92	Result: Withdrawn	
03/50/1529/91	Change of use from B1 & B8 to (retailing)		
	Change of Use	Refused	08 January 1992
	Appeal lodged: 31 January 92	Result: Dismissed	
03/50/1232/90	Change of use from solely B8 to B1 & B8		
	Change of Use	Grant Conditionally	16 January 1991

Consultations

West Devon Borough Council:	No comments received
County EEC Directorate:	No objection
South West Water:	No objection provided foul and surface water kept separate.
Trees & Landscape Officer:	No objection though the area to the east of the entrance splay should be landscaped with a detailed specification for the grassed area and the hedgerow planting.
Economic Development Officer - WDBC:	The expansion should help to secure jobs in the manufacturing sector and support the development.
Environment Agency:	EA suggests moving building 10m to the east as it would place it at a lower flood risk location. It would improve access and egress to building in times of flood. If for other planning reasons the building cannot be moved they will withdraw their objections. Further discussions have resulted in the only outstanding issue being the demonstration on the plans of safe access to the public highway.
Environmental Health (WDBC):	No objections, however there should be no openings in the building to face adjacent residential properties, hours for deliveries shall be limited and details of ventilation should be required by condition.

Parish/Town Council Comments

Peter Tavy PC:	The Parish boundary adjoins the site. The council is concerned regarding the relocation of the access especially in view of the number of accidents in the vicinity over recent years and the flood risk issues.
Tavistock TC:	Supports the application

Relevant Structure Plan Policies

CO2 - National Parks

Relevant Core Strategy Development Plan Document/Local Plan First Review Policies

COR1 - Sustainable Development Principles

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

COR21 - Dealing with development and transport issues in a sustainable way

COR4 - Design and sustainable development principles

COR8 - Meeting the challenge of climate change

COR9 - Protection from and prevention of flooding

Representations

4 letters of objection

The immediate neighbours have raised concerns about flood risk issues, the impact of the alterations to the access to the site on highway safety and access to their properties, an increase in noise and nuisance from the activity within the new building on amenity grounds, the increase hours of working and the difficulties of accessing the rear of the site, damage to property from the vehicles being so close to the house, the visual impact of the changes and that such development is contrary to policy. More distant neighbours have complained about noise from the factory and increased traffic.

Observations

The existing factory produces a foam material that is used for flower arranging and the bases for flower displays. It has been found that that this foam is a very good heat insulation material and this new factory will produce insulation panels utilising the foam produced in the existing factory. Running alongside that process will be the construction of timber trusses used for roofing domestic dwellings.

The factory is located outside of a settlement so policies COR2 and COR18 apply in that this is the small scale expansion and development of an existing business. The new factory will lead to the creation of 6 additional full time jobs and it is proposed to operate between 0700-1900 Mondays to Fridays and 0900-1800 on Saturdays.

The existing building has a distinctive curved roof and the design of the new building has replicated this in a smaller form with timber cladding on the elevations visible in the public domain and metal cladding on the other elevations.

The site is situated within the fluvial floodplain of the River Burn and a Flood Risk Assessment has been submitted. The Environment Agency has advised that it would raise no objection if it can be demonstrated that the application passes the Sequential Test and the development is safe without increasing the risk to others. In terms of the Sequential Test, the locations within the site that are at a higher level would either be very prominent from the road or would be closer to the residential properties and likely to cause harm to amenity. The proposed location is the best functional location for the business. In terms of the safety of the site the only outstanding issue is in respect of access to the site from the public highway being shown on the plan avoiding Flood Zone 3. This plan is being prepared and an update will be given at the meeting. On the basis that the development is completed in accordance with the recommendations of the Flood Risk Assessment, it is now considered acceptable.

Residents have raised issues about potential loss of amenity resulting from the activities associated with and the position of the building. The Environmental Health Officer has been consulted and advised that the hours for deliveries should be restricted, that details of ventilation should be provided and that the shutter door should be relocated from the east elevation. The east elevation of the building contains a large loading door and is 30m from the boundary of the site with the garden of the nearest residential property. That property already experiences some disturbance from lorries accessing the rear of the site which have to pass within less than 5m of the front of the house and make existing deliveries to the rear of the existing building. It is considered that the amendments requested by Environmental Health are necessary to ensure that the development does not have a detrimental impact on the quality of life of local residents and that their amenity is protected. Although deliveries to the existing business are only anticipated to increase by one additional lorry movement per day, if the door exists and another user takes on the building, it would not be possible to control its use. It is therefore considered important to ensure that there is no opening at this stage. In response to a request for the door to be deleted the applicant has stated that the door is required for operational purposes and that it cannot be removed.

Although concerns have been raised by residents regarding highway safety, the Highway Engineer has confirmed that provided the new hedge is not permitted to grow 600mm above the carriageway it will not interfere with sight lines and he has no highway objection to the new access. In terms of traffic movements, on the basis of the traffic generation resulting from the factory being part of the existing operation there is no highway objection. If however the factory contained a completely separate operation the likely increase in traffic movements would result in an objection on highway grounds being raised.

The principle of extending the business on this site is supported by policy and although concerns have been raised by the public and Peter Tavy Parish Council regarding highway safety and flood risk, advice from consultees means that subject to conditions the development would be acceptable in these respects. The impact on the wider landscape is also considered acceptable, however in order to protect the impact on the neighbours in the long term, the removal of the door on the east elevation is considered to be essential. The applicant has clearly indicated that the door is required. It is recognised that this is an important application with significant economic development benefits, however unless the issue of the location of the door is resolved, there will remain a strong objection from the Environmental Health Officer. In the light of this advice, the proposal is recommended for refusal at the time of writing the report, however officers are continuing negotiations with the applicant's agent in an attempt to reach agreement.

CHRIS FRANCE

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 May 2009

APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Report of the Director of Planning and Sustainable Development

INDEX

Item No. **Description**

1. 0116/09 - Change of use of training swimming pool and training pool to swimming academy (resubmission of 0673/08) (Full Planning Permission), Station Cottage, Station Road, Yelverton
2. 0740/08 - Change of use from agricultural offices to office with ancillary accommodation (Change of Use), Barn 'A', Easten Bowtan Farm, Grenofen
3. 0066/09 - Single storey rear extension, formation of roof dormer at rear and replacement carport (Full Planning Permission), 3 Didworthy Bungalows, Didworthy
4. 0102/09 - Single storey extension to the front to align with existing garage, new conservatory at the rear of the property and create additional parking area in front garden area (Full Planning Permission), 39 Brakefield, South Brent
5. 0111/09 - Timber-framed agricultural building (174sqm) for winter housing of livestock and feed storage, to replace existing redundant sheep dip and race (Full Planning Permission), Leigh Bridge Farm, Chagford

1. Application No: **0116/09** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Buckland Monachorum**
Grid Ref: **SX520675** Officer: **Jo Burgess**

Proposal: **Change of use of training swimming pool and training pool to swimming academy (resubmission of 0673/08)**

Location: **Station Cottage, Station Road, Yelverton**

Applicant: **Mr B Heffernan**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would constitute a business use outside the settlement, which in the absence of any employment or environmental benefits is contrary to policy CO2 of the Devon Structure Plan, the Dartmoor National Park Core Strategy Development Plan Document, in particular policies COR1, COR2 and COR18, and to the advice contained in Circular 12/96 and Planning Policy Statement No 1 and Planning Policy Guidance Note No 17.
2. The proposed development would constitute commercial use of the premises that, by virtue of the hours of use and likely number of visitors would be detrimental to the amenity of neighbouring residents and this part of the Dartmoor National Park, contrary to policy CO2 of the Devon Structure Plan, the Dartmoor National Park Core Strategy Development Plan Document, in particular policies COR1, COR2 and COR4, and to the advice contained in Circular 12/96 and Planning Policy Statement No 1 and Planning Policy Guidance Note No 17.

Station Cottage is located off Station Road which is privately owned and provides access to eight properties. Access to the road is via a County road that also provides access to the church car park.

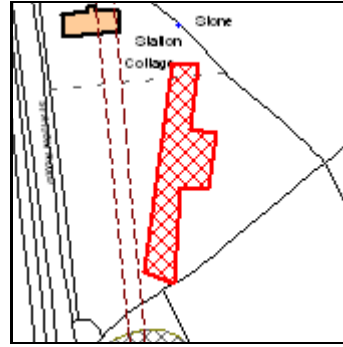
The swimming pool was approved in 2005 for the personal use of the occupiers of Station Cottage. In 2006 permission was given subject to a Section 106 Agreement for limited access by elite athletes, for non commercial use with any payments received being donations, grants or through fund-raising events.

It is now proposed to use the pool every day as a swimming teaching academy from 0600hrs to 2200hrs. Supporting information supplied by the applicant indicates that the maximum number of vehicle movements would remain no greater than the 20 permitted under the terms of the Section 106 Agreement and the number of people able to use the pool at any one time would remain 20, but this application is also to permit payment for use of the facility by athletes in order to cover the costs of heating the pool.

The application is presented to the Committee due to the previous application (0673/08) being considered and refused by Committee in December 2008.

Location Plan

Block Plan



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Planning History

0673/08	Change of use of residential swimming pool to swimming teaching academy	Change of Use	Refused	09 December 2008
0857/06	Variation of condition No2 on planning permission ref. 0041/05 (domestic use) to allow limited access to elite athletes	Full Planning Permission	Grant Conditionally	18 May 2007
0041/05	Erection of 50m training swimming pool and weight training room	Full Planning Permission	Grant Conditionally	10 March 2005

Consultations

West Devon Borough Council:	No comments received
County EEC Directorate:	No objection
South West Water:	No objection
Environment Agency:	No comment received
Dartmoor for all:	There is a single connecting corridor to all facilities and activities. Swimming pool facilities should be designed with hyperbolic infection control in mind. An effective barrier between activities eg outside/inside and wet/dry should be achievable to reduce cross contamination. In addition the facilities are not equitable in that a disabled user would have to go outside in wet swimwear to use the WC facility mid session.

Parish/Town Council Comments

Buckland Monachorum PC:	This resubmission does not alter the original views and comments in that it is considered that this is an inappropriate location for a commercial development of the kind described. It would have a detrimental impact on the character of this quiet residential area. It is also considered that it would have a detrimental impact on the amenity of the occupiers of the neighbouring properties by increasing the amount of vehicles using the narrow lane during unsocial hours and it is considered it would create a road safety hazard in this area where cyclists are being encouraged to use the nearby cycle path. The access road is unsuitable to take an increase in vehicle movements due
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to its narrow width, the access off the main road is often restricted by parked cars preventing the free flow of traffic.

Relevant Structure Plan Policies

CO2 - National Parks

Relevant Core Strategy Development Plan Document/Local Plan First Review Policies

COR1 - Sustainable Development Principles

COR18 - Providing for sustainable economic growth

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

Representations

7 letters of objection

Six letters of objection have been received raising issues relating to the commercial use of the pool and the impact on the peaceful, private road and the residential amenity of those that live there resulting from the additional traffic and visitors attracted to the site.

Observations

Planning permission was originally granted for the erection of a 50m swimming pool and weight training room for private or domestic use only, in association with Station Cottage. The applicant's son was at Kelly College and a tri-athlete so the pool was intended to allow him to reach his full potential.

In 2006 planning permission was granted for use of the pool by elite athletes subject to conditions and a Section 106 Agreement restricting the number of persons using the swimming pool and training facilities to 20 at any one time, the daily number of vehicle movements associated with the use to 20 and the number of hours of use to five hours in any 24 hours. Restrictions were also put in place stating that the pool and training facilities should not be used for commercial purposes. This enabled the pool to be used by athletes who were not family friends. The pool has been used by Heather Fell who achieved a Silver medal in the Olympics and three disabled swimmers who achieved medals in the Paralympics.

In October 2008 in respect of application 0673/08 the applicant stated that because the price of heating oil had more than doubled in the previous months, the pool had been closed. The applicant's son has set up a training business called 'Raising your bar' which offers training at the pool and training programmes over the internet. It was stated that the swimming training academy would make this business and the running of the pool viable. The capacity of the pool and the training room meant that it was envisaged there would be a maximum of 30 vehicle movements per day and a maximum of 30 people using the facility at any one time, however it was stated that the pool would be used between 0600hrs and 2100hrs every day of the week and on Bank Holidays. A breakdown of a typical day was provided and all the organisations using the pool would pay to cover the costs of running the pool. The building would not be open to the public. This was refused on the grounds that it was unjustified commercial use of the building detrimental to the amenity of neighbouring residents.

The current proposal extends the hours that the pool can be used for non domestic use from five hours as set out in a condition and in the Section 106 Agreement to 16 hours. The documentation indicates that this will be from 0600hrs to 2200hrs. The number of vehicle movements is however still limited to 20 and the numbers using the pool is limited to 20 at any

one time, as allowed by condition and by the Section 106 Agreement.

The Section 106 Agreement also dictates that the use of the land as a swimming pool and training facilities shall at all times remain ancillary and subservient to the residential use of the existing dwelling and that it should not be used for commercial purposes. Allowances were made for donations and contributions towards the expenses of maintaining the pool, fundraising activities and grants from elsewhere. The application states that although the applicant is seeking payment for use the applicant does not regard this as a commercial use in the sense that it will not be open to the general public.

Yelverton is a Local Centre, however Station Road is a peaceful private road providing access to eight houses, only visually separated by a large stand of trees adjacent to the car park, from the Parish Hall and Church. The site of the swimming pool is separated from the settlement by virtue of a substantial hedgebank forming the boundary between Station Cottage and the adjacent paddock and the topography and location of the access and as such it is considered to be outside the Local Centre and an un-sustainable location. It is clear that what is being proposed is effectively a commercial private members club and that by increasing the number of hours available to persons outside the family, although the family retains an interest, especially by virtue of the Junior Heffernan Triathlon Training Camp, this amounts to the establishment of a business outside the settlement. Whilst it is acknowledged that policy COR17 encourages facilities needed for a healthy lifestyle and two persons including the applicant's son will be working at the academy it is not an existing business and will not bring about improved employment or environmental conditions. It is therefore not considered to be in accordance with policy COR18.

It should be noted that PPG17 specifically states that within Designated Areas such as National Parks, noisy or other intrusive recreational activities should be restricted to locations where they will have minimal or no impact on residents or other recreational users. Although activity is contained within the building, the increase in activity associated with the increase in the use of the site for 16 instead of five hours per day will inevitably prolong any disruption. Although the number of vehicles is proposed to remain within 20 per day and it is argued that overall use is already, in essence, taking place (through domestic and non domestic use during the hours concerned) it seems very likely that to accommodate the swimming clubs mentioned in the application correspondence, and make the pool commercially viable, more minibuses will be used and/or vehicles may even use the nearby car park and users walk down the lane past the nearby properties to the pool. This is likely to have a significant impact on the amenity of the immediate neighbours such that it is considered that the quality of life of those residents will be detrimentally affected. One property is immediately adjacent to the access road so is likely to be aware of the increase in activity and have objected to the application. The access to the car parking area is immediately opposite the access to another residential property. An inspection of the log book kept in accordance with the requirements of the conditions reveals that rarely more than four vehicles attend the pool on any one day hence no complaints have been received to date.

The pool is accessed along a private road that itself is accessed from the County highway that leads to the church car park and also forms part of the National Cycle Network Route 27. Residents are concerned that there has been a significant change in circumstances relating to access in that as a result of the Maristow Estate introducing car parking charges in the car park, cars are instead parked along the access road to the car park with the result that it is only single track for much of the time. The Highway Engineer has considered the additional information regarding traffic movements but does not consider that the increase in the level of traffic accessing the site is sufficient to justify refusal on these grounds.

The concerns of neighbours and the Parish Council are recognised and it is considered that although this is the only 50m pool west of Millfield, it is not a public facility. The establishment of a recreational business outside the settlement remains unacceptable in principle. In addition, as a result of the increase in activity at the site that would result from planning permission being given, there would be a detrimental impact on the residential amenity of the neighbouring residents and the peaceful residential character of this part of the National Park.

2. Application No: **0740/08** District/Borough: **West Devon Borough**
 Application Type: **Change of Use** Parish: **Whitchurch**
 Grid Ref: **SX505718** Officer: **Jo Burgess**

Proposal: **Change of use from agricultural offices to office with ancillary accommodation**

Location: **Barn 'A', Easten Bowtan Farm, Grenofen**

Applicant: **Mr J Wallace**

Recommendation **That permission be GRANTED**

Condition(s)

1. Ancillary use only
2. Farm office use only
3. Staining of joinery
4. Removal of render

Barn A at Boyton Farm is located off Fullamoor Lane at Grenofen. It is one of a group of barns around the listed farmhouse which is now occupied by persons not involved in the farm business. The applicant lives in the converted barn with residential use and continues to run an agricultural business.

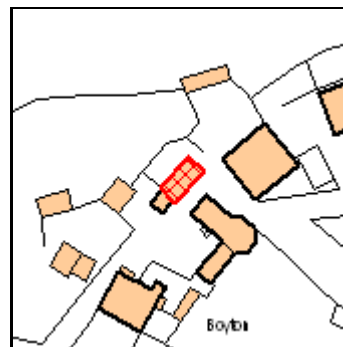
Barn A has planning permission for offices for agricultural use with storage. This use has been implemented. It is now proposed to use the barn as an office with ancillary accommodation.

The application is presented to Committee in view of the comments by the Parish Council.

Location Plan



Block Plan



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Planning History

0487/05	Conversion of redundant barn to offices for agricultural use with storage and removal of concrete block lean-to extension		
	Full Planning Permission	Grant Conditionally	18 August 2005
0488/05	Conversion of redundant barn to offices for agricultural use with storage and removal of concrete block lean-to extension		
	Listed Building Consent	Grant Conditionally	18 August 2005
0801/03	Conversion of barn to 4-bedroomed residence		
	Full Planning Permission	Grant Conditionally	15 March 2004

0802/03	Conversion of barn to 4-bedroomed residence		
	Listed Building Consent	Grant Conditionally	15 March 2004
0799/03	Conversion of barn to 3-bedroomed residence		
	Full Planning Permission	Refused	09 March 2004
0800/03	Conversion of barn to 3-bedroomed residence		
	Listed Building Consent	Refused	09 March 2004

Consultations

West Devon Borough Council:	No comments received
County EEC Directorate:	Providing a condition can be attached to effectively prevent a separate unit of accommodation being established there will be no highway objection. If not there will be a recommendation of refusal on grounds of inadequate approach roads and unsustainable location.
South West Water:	No objection, however details of storm water disposal must be submitted for prior approval
Environment Agency:	Flood Zone 1
Cultural Heritage Service:	Approval with conditions about the staining of the windows and rendering of the south elevation.

Parish/Town Council Comments

Plasterdown Grouped PC:	Object to change of use - concerned regarding additional vehicle movements associated with an increase in residential units. The lane is not suited to an increase in the number of residential units or of traffic movements, both of which would change the nature and character of the lane and the area. They also point out that the track accessing the buildings was approved as an agricultural track.
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Relevant Structure Plan Policies

CO2 - National Parks
CO7 - Historic Settlements and Buildings

Relevant Core Strategy Development Plan Document/Local Plan First Review Policies

COR1 - Sustainable Development Principles
COR15 - Providing for limited new housing to meet local needs
COR2 - Settlement Strategies
COR21 - Dealing with development and transport issues in a sustainable way
COR3 - Protection of Dartmoor's special environmental qualities
COR4 - Design and sustainable development principles
COR5 - Protecting the historic built environment

Representations

1 letter of objection

The neighbour objects to the application raising the issue of the use of the offices in relation to what was approved, the need for domestic use of the building especially in

light of the planning history of the building and use of the agricultural access. This has increased the traffic on a less safe section of Fullamoor Lane.

Observations

Boyton farmhouse has been sold and the applicant is now living in a nearby converted barn and running the farm from an office in the adjacent barn A. This farm is now called Easten Bowtan Farm.

The use of barn A is as an office in association with running the farm has been previously approved. This proposal now seeks one bedroomed ancillary accommodation on the first floor of this building. Re-iteration of the condition previously applied will be essential to ensure that the proposal is in accordance with policy COR21.

The barn has already been converted, however the work has not been carried out in accordance with the approved plans. The applicant has submitted amended plans showing the removal of an unauthorised partition on the first floor that will help retain the character of the barn. In addition the applicant has agreed to address the staining and render issues raised by the Historic Buildings Officer. This can be achieved by condition. He has also stated that a condition linking the two barns to ensure that the accommodation remains ancillary is acceptable and on this basis the proposal is considered acceptable.

Access to the barns and the associated agricultural buildings is gained via the track approved under the Prior Notification procedure. The old farm track is now solely used to access the farmhouse. This does mean that all the farm traffic is using a narrow section of Fullamoor Lane east of the old track, however providing the office use is restricted and the residential use of the barn is ancillary to the barn only, there are no highway objections to the proposal and it is not considered that refusal on these grounds would be justified.

Reasons for Recommendation

Having regard to the relevant policy(ies), CO2, CO7 of the Devon Structure Plan, policy(ies) COR1, COR15, COR2, COR3, COR4, COR21, COR5 of the Dartmoor National Park Core Strategy Development Plan Document/Local Plan First Review, and to the advice contained in Circular(s) 12/96, and Planning Policy Guidance Note/Statement number(s) 15, 1, 7 and all other material planning considerations, the proposal is considered to be acceptable.

3. Application No: **0066/09** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX685623** Officer: **Jo Burgess**

Proposal: **Single storey rear extension, formation of roof dormer at rear and replacement carport**

Location: **3 Didworthy Bungalows, Didworthy**

Applicant: **Mr S Jinks**

Recommendation **That permission be GRANTED**

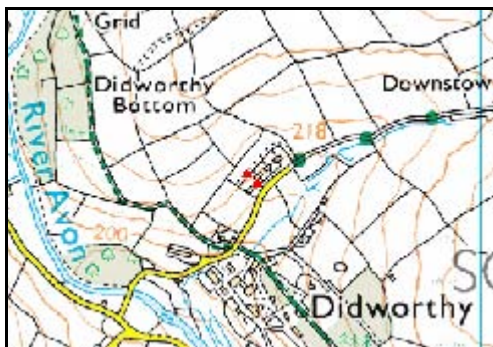
Condition(s)

1. Tile hanging on dormer to match roof
2. Matching materials
3. Sample of car port roof covering
4. Details of storm water disposal
5. Car port use ancillary to dwelling

Didworthy Bungalows are located adjacent to the former Didworthy Hospital north of South Brent.

The application is presented to the Committee in view of the concerns raised by the Parish Council.

Location Plan



Block Plan



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Planning History

09/45/0274/87	Change of use from agriculture to garden extension		
	Change of Use	Grant Unconditionally	19 March 1987
09/45/0085/87	Erection of garage		
	Full Planning Permission	Withdrawn	19 February 1987

Consultations

South Hams District Council: No comments received
County EEC Directorate: No objection
South West Water: No objection. Should no separate storm system be available, details of the means of disposal must be

submitted for prior approval. The use of soakaways will require satisfactory percolation tests to have been undertaken.

Environment Agency: Flood Zone 1

Parish/Town Council Comments

South Brent PC: The Parish Council recommends refusal. There is no justification for the dormer window and is inappropriate for the character of the property, the front elevation should not protrude and is detrimental to the character and appearance of the area, the Council recommends a grey or black roof and vertical boarding for the car port and questions the applicants ability to provide foul drainage if the rear extension is built.

Relevant Structure Plan Policies

CO2 - National Parks

Relevant Core Strategy Development Plan Document/Local Plan First Review Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

Representations

1 letter of objection

The immediate neighbour has raised concerns about the extension being built above the private sewer serving the properties, loss of light to her rear room and a likely increase in damp.

Observations

The property is one of eight bungalows located at Didworthy. The loft was converted some time ago but the stairs do not comply with current Building Regulations and are very steep. The dormer is required to attain the necessary head room but in response to concerns raised following the site visit the size of the dormer has been reduced and the dormer is shown to be clad to match the roof. The views of the Parish Council in respect of the amended design will not be available until 20 April and will be reported at the meeting.

The proposed rear extension has raised concerns from the Parish Council and neighbours in respect of a sewer running along the rear of the properties. South West Water has confirmed that the sewer is private and that no objections would be raised. Building Control has advised that the normal rules regarding foundations below the sewer will apply and these will be enforced by them accordingly. In terms of light to the adjacent window the officer has inspected the proposal from the relevant room in the neighbouring property and it has been concluded that there would not be sufficient adverse impact on the neighbours amenity to justify refusal on these grounds.

The design of the side extension has been amended to address the concerns of the officer and Parish Council in this respect and is now considered acceptable. Any additional comments made by the Parish Council will be reported at the meeting.

The replacement car port is acceptable, however details of the roof colour will need to be required by condition.

Reasons for Recommendation

Having regard to the relevant policy(ies), CO2 of the Devon Structure Plan, policy(ies) COR1, COR2, COR4 of the Dartmoor National Park Core Strategy Development Plan Document/Local Plan First Review, and to the advice contained in Circular(s) 12/96, and Planning Policy Guidance Note/Statement number(s) , 1, 7 and all other material planning considerations, the proposal is considered to be acceptable.

4. Application No: **0102/09** District/Borough: **South Hams District**
Application Type: **Full Planning Permission** Parish: **South Brent**
Grid Ref: **SX702595** Officer: **Jo Burgess**

Proposal: **Single storey extension to the front to align with existing garage, new conservatory at the rear of the property and create additional parking area in front garden area**

Location: **39 Brakefield, South Brent**

Applicant: **Mr D Rogers**

Recommendation **That permission be GRANTED**

Condition(s)

1. Details of conservatory ridge detail
2. Sample of gravel
3. No drainage onto highway
4. Matching materials for front extension

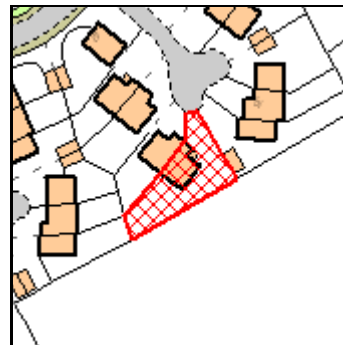
39 Brakefield is a semi detached property in South Brent. An extension, conservatory and parking area are proposed.

The application is presented to Committee because the Parish Council has advised that at its meeting on 20 April it is likely that they will recommend planning permission is refused.

Location Plan



Block Plan



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Consultations

County EEC Directorate: No objection
South West Water: No objection provided foul drainage only is connected to the public foul or combined sewer. Should no separate storm system be available, details of the means of disposal MUST be submitted for prior approval. The use of soakaways will require satisfactory percolation tests to have been undertaken
Environment Agency: Flood Zone 1

Parish/Town Council Comments

South Brent PC: Comments will be available on 20 April

Relevant Structure Plan Policies

CO2 - National Parks

Relevant Core Strategy Development Plan Document/Local Plan First Review Policies

COR1 - Sustainable Development Principles

COR15 - Providing for limited new housing to meet local needs

COR2 - Settlement Strategies

COR4 - Design and sustainable development principles

Representations

None to date.

Observations

39 Brakefield is a semi detached property on the edge of South Brent. There are residential properties on three sides and to the south east are open fields.

It is proposed to erect a conservatory on the rear of the property and it is considered that this is acceptable in this setting where there are others on nearby properties. However, the ridge detailing is considered to be un-necessarily fussy so a condition is proposed to require details to be approved. It is not considered that the conservatory will have a detrimental impact on the amenity of neighbours.

The design of the front extension has been amended to better reflect the character of the property and adjoining properties with stone faced piers being proposed. It is considered in all respects to be acceptable.

Following the site visit details of the additional parking area in the front garden were requested to enable the visual impact and details of drainage to be fully assessed. These have been provided and it is considered that the visual impact of the gravelled parking area is acceptable. The parking area will drain into the rockery between the parking area and the house.

The Parish Council's comments will be provided at the meeting and an update will be given on any issues they raise.

Reasons for Recommendation

Having regard to the relevant policy(ies), CO2 of the Devon Structure Plan, policy(ies) COR1, COR2, COR4, COR15 of the Dartmoor National Park Core Strategy Development Plan Document/Local Plan First Review, and to the advice contained in Circular(s) 12/96, and Planning Policy Guidance Note/Statement number(s) , 1 and all other material planning considerations, the proposal is considered to be acceptable.

5. Application No: **0111/09** District/Borough: **West Devon Borough**
Application Type: **Full Planning Permission** Parish: **Chagford**
Grid Ref: **SX686875** Officer: **Louise Smith**

Proposal: **Timber-framed agricultural building (174sqm) for winter housing of livestock and feed storage, to replace existing redundant sheep dip and race**

Location: **Leigh Bridge Farm, Chagford**

Applicant: **Mr H Davis**

Recommendation **That permission be REFUSED**

Reason(s) for Refusal

1. The proposed development would, by reason of its design, size and location, together with the removal of a section of important hedgerow, detract from the character and appearance of this part of the Dartmoor National Park, contrary to policy CO2 of the Devon Structure Plan, policy FD2 of the Dartmoor National Park Local Plan First Review, the Dartmoor National Park Core Strategy Development Plan Document, in particular policies COR1, COR3 and COR4 and to the advice contained in Circular 12/96 and Planning Policy Statement Nos 1 and 7.

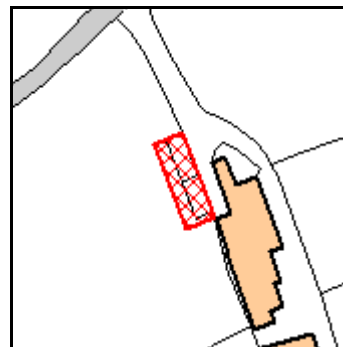
Leigh Bridge Farm is a livestock holding situated between Chagford and Gidleigh. The proposal is for a 22m x 6m building to overwinter bullocks, and store feed, in the location of a redundant sheep dip and race. The proposal requires the removal of approximately 25m stretch of Devon hedgebank, to integrate the new building within the farm yard.

The application is presented to the Committee in view of the comments of the Parish Council.

Location Plan



Block Plan



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Consultations

West Devon Borough Council: No objection

County EEC Directorate: No objection

South West Water: No objection

Environment Agency: No objection

Trees & Landscape Officer: The removal of a section of 'important' hedgerow will have a detrimental impact on the hedgerow and the hedgerow

system.

Parish/Town Council Comments

Chagford PC:

The Parish Council is supportive of the proposed development. It is of the opinion that the proposed location, adjacent to a group of existing farm buildings, and the sinking of the building below the field level, on the south-east and south-west sides, together with the proposed bank at the rear, make this an ideal solution. The Council accepts that the proposal will result in a section of the existing field wall being removed, however, given that much of the wall is missing, or dangerously unstable, its removal is not considered to be any loss of farmland heritage.

Relevant Structure Plan Policies

CO2 - National Parks

Relevant Core Strategy Development Plan Document/Local Plan First Review Policies

COR1 - Sustainable Development Principles

COR2 - Settlement Strategies

COR3 - Protection of Dartmoor's special environmental qualities

COR4 - Design and sustainable development principles

FD2 - Agricultural, forestry or other rural enterprise related development: general

Representations

None to date.

Observations

Whilst the proposed building would be located adjacent to the existing agricultural buildings, it would not be sympathetic to existing landscape features and is considered to detract from the character and appearance of this part of the Dartmoor National Park.

The building is proposed to be situated in an elevated location to the west of the existing buildings, behind the Devon hedgebank that encloses the farm yard. In order to integrate the building within the yard, the proposal seeks to remove approximately 25m of this traditional field boundary and engineer the building down by 1.2m to 1.5m to correspond to lower levels within the farm yard.

The Trees and Landscape Officer advises that the hedge and bank have been managed in the past and are in a reasonable state of repair; the hedgerow is 'important', appearing on the Chagford Tithe Map and is likely to have been part of the medieval field enclosure system. The removal of a section of 'important' hedgerow is considered to have a detrimental impact on the hedgerow and would be harmful to the integrity of the hedgerow system in this landscape, which is a system that has survived well and contributes to the character and appearance of this part of the Dartmoor National Park.

An earth bund is proposed to screen the building. Bunds are not a traditional feature of this agricultural landscape and would appear incongruous in this landscape setting; drawing attention to, rather than softening the impact of, the building in this elevated location above the public highway.

The proposed location was raised as a concern at the site visit and it was suggested that an alternative location be explored to the southern end of the farm buildings. Such a location could potentially be integrated within the farmyard, without requiring the removal of a section of important hedgerow, and be enclosed by existing landscape features. The application is presented to the Committee as the applicant does not wish to consider an alternative location.

Policy FD2 sets out that agricultural buildings will only be permitted where they relate well to landscape features and will not adversely affect the wildlife or natural beauty of the National Park. This is reiterated through policies COR1 and COR4. Policy COR3 requires new development to enhance the characteristic landscapes, and features that contribute to Dartmoor's special environmental qualities. Field boundaries are specifically identified, within this policy as features which need to be assessed. The proposed scheme would fail to meet the policy criteria and be detrimental to the character and appearance of this part of the Dartmoor National Park; the application is therefore recommended for refusal.

CHRIS FRANCE

NPA/DM/09/027

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 May 2009

MONITORING AND ENFORCEMENT

Report of the Director of Planning and Sustainable Development

INDEX

Item No. **Description**

1. ENF/0177/08 - Construction of link between store converted to ancillary living accommodation and dwellinghouse, Hillside, Merrivale

1 Enforcement Code: **ENF/0177/08**

District/Borough: **West Devon Borough**

Grid Ref: **SX550749**

Parish: **Dartmoor Forest**

Officer: **Nick Savin**

Description: **Construction of link between store converted to ancillary living accommodation and dwellinghouse**

Location: **Hillside, Merrivale**

Land owner: **Mr N Knight**

Recommendation: **That, subject to the consideration of any comments from the Parish Council, the appropriate legal action be authorised to secure the removal of the unauthorised structure from the land.**

Location Plan



Block Plan



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Relevant Structure and Local Plan Policies

CO2 - Conservation National Parks
COR1 - Sustainable Development
COR2 - Spatial Development
COR3 - National Parks Landscape
COR4 - Built Environment

Representations & Parish/Town Council Comments

Any comments from the Parish Council will be reported at the meeting.

Observations

Hillside Cottage is situated south of the B3357 Princetown to Tavistock Road at Merrivale.

An application was granted for the conversion of a garden store to provide additional living accommodation for the existing dwelling at Hillside Cottage in May 2008.

A subsequent report highlighted that the development was not being built in accordance with the approved drawings in that a link had been constructed between the converted garden store and main dwelling. The original application had included a link but this was considered to be inappropriate and was subsequently removed from the submitted drawings.

The owner had been made aware that this link element had not been approved and stated that he would make a further application to retain it. The application for the retention of the link was

subsequently submitted and refused in January 2009.

The reason for refusal states that the link, by reason of its location and design has a detrimental impact on the character and appearance of the dwelling and this part of the National Park.

It is now considered appropriate to seek authorisation for legal action to secure the removal of the unauthorised link from the land.

CHRIS FRANCE

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 May 2009

APPEALS

Report of the Director of Planning and Sustainable Development

Recommendation : **That the report be noted.**

The following appeal(s) have been lodged with the First Secretary of State since the last meeting.

1 Application No:	A/09/2099891	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Change of Use	Parish:	Christow
Proposal:	Change of use of part orchard to domestic garden		
Location:	Stonehouse, Village Road, Christow		
Appellant:	Rev R Grinstead		

2 Application No:	A/09/2101084	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Dartmoor Forest
Proposal:	Erection of pedestrian link between new annex and existing dwelling		
Location:	Hillside, Merrivale		
Appellant:	Mr N Knight		

The following appeal decision(s) have been received since the last meeting.

1 Application No:	A/08/2078617	District/Borough:	Teignbridge District
Appeal Type:	Refusal of Full Planning Permission	Parish:	Ilsington
Proposal:	Use of the site for four mobile homes and four utility day rooms (all for permanent use) and four touring caravans		
Location:	land off Liverton Lane, Liverton		
Appellant:	Mr M Ayres		
Decision:	DISMISSED		

Three main issues were identified; firstly the effect of the proposed development on the character and appearance of the surrounding area; secondly the effect on highway safety and thirdly whether any conflict with policy or other harm would be outweighed by other material considerations such as the need for gypsy and traveller sites and the appellant's personal and family circumstances.

Whilst near views of the site are moderately well screened by existing landscape features especially in the summer months, there are long distance public views from higher ground to the south. The amount of development and its suburban layout would contrast adversely with the surrounding fields. Whilst there is residential development at Coldeast and dwellings at Cummings Cross these are separated from the appeal site making the incursion into open countryside obvious. There is also the well established principle of protecting the countryside for its own intrinsic character. The site is essentially rural in character and this would be replaced by residential occupation, domestic paraphernalia and associated activity including vehicle movements.

In the Inspector's view the location of the site close to the edge of the National Park makes it particularly vulnerable to encroachment by development. He concluded that the proposal would harm the character and appearance of this part of the National Park in conflict with the aims of PPS7, Structure Plan policy CO2, Local Plan policy HS8, Core Strategy COR2 and emerging RSS policy ENV3.

On the issue of highway safety the Inspector was concerned about the lack of visibility for emerging vehicles on to the main road in conflict with the aims of policy TR10 of the Structure Plan.

Other material considerations included the status of the appellant and his family being Romany gypsies and the requirement to consider their needs in the light of Circular 1/2006.

The Inspector was critical of the lack of any specific policy in either the Structure Plan, Local Plan or the Core Strategy against which provision of gypsy or traveller site proposals can be judged. The draft revised RSS now at an advanced stage can be given substantial weight. This proposes a zero residential pitch requirement for the National Park and the Authority has no plans for a DPD to allocate gypsy or traveller sites. Notwithstanding the lack of site allocation in the RSS, the Inspector's view was that the absence of any policies to address gypsy and traveller accommodation needs weighs in favour of granting permission.

The Inspector went on to consider the Devon-wide Gypsy and Traveller Housing Needs Assessment, the recent bi-annual counts of gypsy and traveller caravans on unauthorised sites and proposals for pitches in the Teignbridge area. He concluded that there was a substantial need for sites in Devon although on the available evidence he agreed the need within the National Park was small.

On the issue of the personal circumstances of the appellant and his family, the health and educational needs of the family were acknowledged, together with the tradition of extended family support. The Inspector noted that there was no reason to consider this site as uniquely able to provide for these needs.

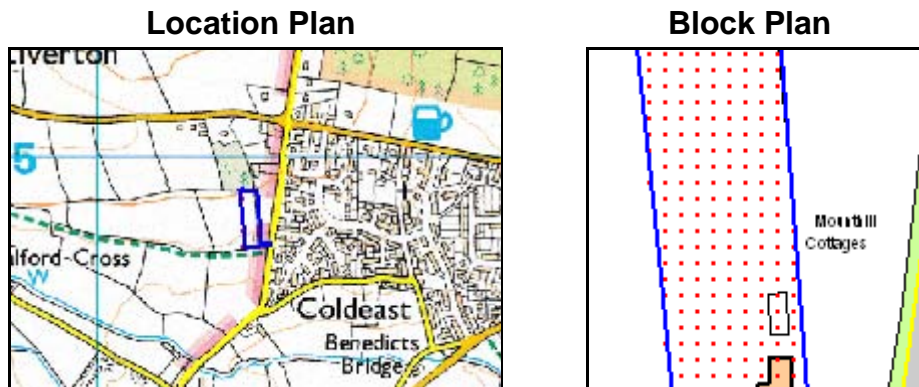
Regarding Human Rights the Inspector concluded that there would be no violation of these in respect of the appellant and his family.

The Inspector did however state that the existing policies are not in line with the advice of Circular 01/2006, which allows for gypsy and traveller sites in rural settings where they would not compromise National Park purposes.

In conclusion the Inspector noted the needs of the appellant and his family. However, those could be met elsewhere. The proposal would harm both the character and appearance of the

area and compromise road safety.

The appellant's suggestion of a five year temporary permission was not considered appropriate as the Inspector was not persuaded that additional plots would be forthcoming in the timescale.



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2 Application No:	A/08/2085335	District/Borough:	West Devon Borough
Appeal Type:	Refusal of Full Planning Permission	Parish:	Belstone
Proposal:	Removal of condition (f) from permission ref CO/8747 relating to agricultural occupancy		
Location:	Windy Ridge Farm, Skaigh Lane, Belstone		
Appellant:	Mr S Martin		
Decision:	DISMISSED		

The main issue was identified as being the effect of removing the agricultural occupancy condition at Windy Ridge Farm with particular regard to the settlement and housing objectives of the development plan and the need for such properties in the locality.

With regard to retention of the agricultural occupancy condition, the Inspector acknowledged the previously existing type of poultry enterprise was no longer viable or practical, and that due to the restricted size and poor access of the holding, diversification into other types of poultry production was not an option. Similarly diversification into other types of agriculture was unlikely. The conclusion was therefore that there was no current or foreseeable functional need for a dwelling on the holding.

On the issue of need for such a property in the locality the authority had no evidence of applications for new dwellings with occupancy restrictions nor of similar applications for removal of occupancy conditions. On the question of valuation of the tied property and its marketing, the Inspector was satisfied that the appellant had obtained valuations from a wide range of surveyors and had actively marketed the dwelling and holding in a realistic manner, in the spirit of national guidance and the development plan.

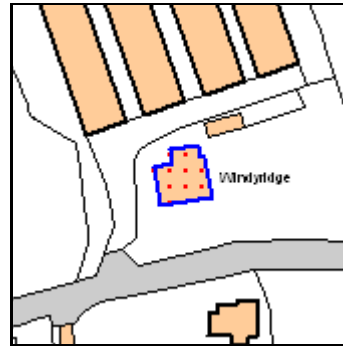
The Inspector was satisfied that lifting of the condition was justified by the lack of need for an agricultural dwelling on either the holding or the locality. However in these circumstances Local Plan policy HS5, a saved policy, requires that a planning obligation is put in place to

reserve occupation of such a dwelling to "local persons". In the absence of such an obligation the proposal would harm the settlement and housing objectives of the development plan. The lack of the required planning obligation was the sole reason for dismissing the appeal.

Location Plan



Block Plan



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CHRIS FRANCE

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

01 May 2009

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS
AND APPLICATIONS WITHDRAWN**

Report of the Director of Planning and Sustainable Development

Members are requested to contact the Office before 5pm on Thursday if they wish to raise questions concerning any of the above.

(For further information please contact Colin Jarvis)

Recommendation: **That the following decisions be noted.**

1	Application No: 0023/09	District/Borough: Teignbridge District
	Application Type: Listed Building Consent	Parish: Widecombe-in-the-Moor
	Proposal: Insertion of a new oak-framed single glazed window into existing wall	
	Location: Tunhill, Widecombe-in-the-Moor	
	Decision: Grant Conditionally. All elements of the historic window shall be retained in perpetuity including detached fragment; no further treatment shall be undertaken or finish applied to either the new or historic window.	
2	Application No: 0024/09	District/Borough: Teignbridge District
	Application Type: Full Planning Permission	Parish: Moretonhampstead
	Proposal: Two-storey rear extension (revised design of permission ref 0401/07)	
	Location: Little Brinning, Moretonhampstead	
	Decision: Grant Conditionally. External walls and roof shall match existing building; ancillary use only; species protection.	
3	Application No: 0030/09	District/Borough: West Devon Borough
	Application Type: Full Planning Permission	Parish: Sticklepath
	Proposal: Two stables and tackroom	
	Location: land adjacent to Combe Head Barns, Tongue End Cross, Okehampton	
	Decision: Grant Conditionally. Roofing materials shall have prior approval.	
4	Application No: 0034/09	District/Borough: South Hams District
	Application Type: Full Planning Permission	Parish: Buckfastleigh West
	Proposal: Orangery extension	
	Location: Parklands Farm, Buckfastleigh	
	Decision: Grant Conditionally. Roofing slate shall have prior approval; stone on dwarf walls shall match existing.	

5 **Application No:** 0037/09 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** South Tawton
Proposal: Replace existing play equipment in playground
Location: South Zeal Recreation Ground, South Zeal
Decision: Grant Conditionally. Archaeological watching brief; details of new hard standings, material and external finishes of proposed play zone unit, spirowheel and rocking horse shall have prior approval.

6 **Application No:** 0038/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ashburton
Proposal: First floor bedroom and external storage room extensions
Location: 4 Stapledon Lane, Ashburton
Decision: Grant Conditionally. External facing materials, natural slate roof material, fixed by nailing only shall have prior approval; rooflights shall be flush fitting.

7 **Application No:** 0040/09 **District/Borough:** West Devon Borough
Application Type: Change of Use **Parish:** Mary Tavy
Proposal: Change of use of existing ancillary annexe for holiday let
Location: Beechwood Barn (annexe), Burntown, Mary Tavy
Decision: Grant Conditionally. Holiday use only.

8 **Application No:** 0044/09 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Lydford
Proposal: New storage compound and change of use to holiday let and office
Location: Lydford Gorge, Lydford
Decision: Grant Conditionally. Short let holiday accommodation only; external doors and windows shall be of timber construction and retained as such; species protection; external facing and roofing material shall have prior approval.

9 **Application No:** 0046/09 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Lydford
Proposal: Change of use and conversion of outbuilding to provide ancillary domestic accommodation
Location: Hartswood, Lydford
Decision: Grant Conditionally. Ancillary use only; rooflights shall be flush fitting; stained timberwork shall have prior approval; species protection.

10 **Application No:** 0047/09 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Okehampton Hamlets
Proposal: Variation of condition 6 of permission ref 3/23/080/92/03 to allow the importation of aggregates for onward shipment to market by rail
Location: Meldon Quarry, Okehampton
Decision: Grant Unconditionally

-
- 11 **Application No:** 0049/09 **District/Borough:** Mid Devon District
Application Type: Full Planning Permission **Parish:** Cheriton Bishop
Proposal: Erection of agricultural building to replace existing
Location: Oaklands, Cheriton Bishop
Decision: Grant Conditionally. Roofing material shall have prior approval; removal upon redundancy.
-
- 12 **Application No:** 0051/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ashburton
Proposal: Extension to side of house to provide disabled shower room and bedroom
Location: 11 Beverley Gardens, Ashburton
Decision: Grant Conditionally. External walls and roof shall match existing building.
-
- 13 **Application No:** 0053/09 **District/Borough:** West Devon Borough
Application Type: Certificate of Lawfulness **Parish:** Whitchurch
for a proposed use
Proposal: Extension to existing building
Location: Magpie Mill, Bedford Bridge, Horrabridge
Decision: Certificate not issued
-
- 14 **Application No:** 0055/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Buckfastleigh
Proposal: Demolition and reinstatement of first floor timber frame studio
Location: 19 Moors Court, Buckfastleigh
Decision: Grant Conditionally. Artist studio only, no commercial use or retail sales; Flood Risk Assessment; sectional details of joinery, roofing material and stained timberwork shall have prior approval.
-
- 15 **Application No:** 0056/09 **District/Borough:** Teignbridge District
Application Type: Conservation Area **Parish:** Buckfastleigh
Consent
Proposal: Demolition and reinstatement of first floor timber frame studio
Location: 19 Moors Court, Buckfastleigh
Decision: Grant Conditionally. External joinery shall be painted or stained and zinc corrugated roof sheeting and translucent glazed roof panels shall have prior approval.
-
- 16 **Application No:** 0060/09 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Drewsteignton
Proposal: Single bedroom extension over existing garage
Location: Briar House, Saddlers Close, Crockernwell
Decision: Grant Conditionally. External walls and roof shall match existing building.
-

-
- 17 **Application No:** 0061/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ashburton
Proposal: Replacement of flat roof with pitched roof (revision of 0703/08)
Location: 13 Long Park, Ashburton
Decision: Grant Conditionally. Garage doors shall be of vertical timber boarded construction; external walls and roof shall match existing building.
-
- 18 **Application No:** 0062/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Buckfastleigh
Proposal: Repair to boundary wall including raising level to original height
Location: 2 Elliot Plain, Buckfastleigh
Decision: Grant Conditionally. Traditional stonework; mortar mix shall have prior approval; coping stones shall match existing wall; basal course shall remain undisturbed.
-
- 19 **Application No:** 0063/09 **District/Borough:** Teignbridge District
Application Type: Listed Building Consent **Parish:** Buckfastleigh
Proposal: Repair to boundary wall including raising level to original height
Location: 2 Elliot Plain, Buckfastleigh
Decision: Grant Conditionally. Traditional stonework; mortar mix shall have prior approval; coping stones shall match existing wall; basal course shall remain undisturbed.
-
- 20 **Application No:** 0064/09 **District/Borough:** West Devon Borough
Application Type: Listed Building Consent **Parish:** Lydford
Proposal: Replacement of roof covering of lean-to rear porch and carport
Location: Town Farm, Lydford
Decision: Grant Conditionally. Roofing material shall be corrugated PVC plastisol with Merlin Grey finish, not box profile.
-
- 21 **Application No:** 0068/09 **District/Borough:** West Devon Borough
Application Type: Listed Building Consent **Parish:** Sampford Spiney
Proposal: Recladd existing agricultural buildings and extension to existing
Location: Sampford Barton, Sampford Spiney
Decision: LBC not required
-
- 22 **Application No:** 0069/09 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Sampford Spiney
Proposal: Reclad existing agricultural buildings and extension to existing
Location: Sampford Barton, Sampford Spiney
Decision: Grant Conditionally. Roof shall be covered in fibre cement profile sheeting; agricultural use only; removed upon redundancy.
-

-
- 23 **Application No:** 0071/09 **District/Borough:** West Devon Borough
Application Type: Telecoms. Notification **Parish:** Throwleigh
Proposal: Two wooden poles, 7.5m above ground, with associated wiring
Location: In verge at North Forder, Throwleigh, Okehampton (SX670 896)
Decision: No objection
-
- 24 **Application No:** 0072/09 **District/Borough:** West Devon Borough
Application Type: Listed Building Consent **Parish:** Throwleigh
Proposal: Replacement of flat roof with pitched slate roof and replacement windows
Location: Waye Farm, Chagford
Decision: Grant Conditionally. Roof shall be covered in natural slate, fixed by nailing only; eaves and verge details, details of hip on larder roof, all new external joinery, rainwater goods, cross section of kitchen roof and intersection with first floor window and any raising to internal pillars shall have prior approval.
-
- 25 **Application No:** 0073/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ilsington
Proposal: Single storey extension
Location: Rock Inn, Haytor, Ilsington
Decision: Grant Conditionally. Finish of external joinery and steel handrail, sample of ridge tile and natural slate roofing material, fixed by nailing only shall have prior approval; rooflights shall be flush fitting.
-
- 26 **Application No:** 0075/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Lustleigh
Proposal: Erection of conservatory to west elevation
Location: Waye Cottage, Lustleigh
Decision: Grant Unconditionally
-
- 27 **Application No:** 0078/09 **District/Borough:** South Hams District
Application Type: Full Planning Permission **Parish:** Cornwood
Proposal: First floor extension, porch and garage to replace existing garage
Location: Woodruff, Corntown, Cornwood
Decision: Grant Conditionally. External walls and roof shall match existing building.
-
- 28 **Application No:** 0079/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ilsington
Proposal: External terrace to the existing bar and lounge with ramped access and associated works
Location: Ilsington Country House Hotel, Ilsington
Decision: Grant Conditionally. External walls shall match existing building.
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- 29 **Application No:** 0082/09 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Burrator
Proposal: Replacement livestock shed (18.3m x 9.1m)
Location: Callisham Farm, Meavy
Decision: Grant Conditionally. Slate grey roofing material shall have prior approval; agricultural use only; removal upon redundancy; species protection.
-
- 30 **Application No:** 0083/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Lustleigh
Proposal: Extension to rear of existing dwellinghouse (resubmission of 0791/08)
Location: Bonwyck, Mapstone Hill, Lustleigh
Decision: Grant Conditionally. Finish of all new external joinery and details of balcony fascia board and support post shall have prior approval; traditional stonework.
-
- 31 **Application No:** 0098/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Bovey Tracey
Proposal: Renewal of permission ref 0076/06 for change of use of stables to games room and guest accommodation, ancillary to main house
Location: Little Farthings, Lower Brimley, Bovey Tracey
Decision: Grant Conditionally. Ancillary accommodation only.
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- 32 **Application No:** 0104/09 **District/Borough:** South Hams District
Application Type: Full Planning Permission **Parish:** Cornwood
Proposal: Amendment to approval ref 0728/08 to provide rear facing gable in place of two dormer roofs
Location: 42 Abbots Park, Cornwood
Decision: Grant Conditionally. Finishing materials shall match existing building.
-
- 33 **Application No:** 0106/09 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Ashburton
Proposal: Change of use, new access and erection of pre-fabricated stable block
Location: Field adjacent to Welstor Cross, Nr Ashburton
Decision: Grant Conditionally. External facing and roofing material shall have prior approval; existing field access gate shall be closed and hedgebank reinstated; existing field shelter shall be removed.
-
- 34 **Application No:** 0108/09 **District/Borough:** West Devon Borough
Application Type: Prior Notification **Parish:** Chagford
Proposal: Storage building (13.5m x 6m)
Location: Middle Drewson, Moretonhampstead
Decision: No objection
-

35 **Application No:** 0109/09 **District/Borough:** West Devon Borough
Application Type: Prior Notification **Parish:** Chagford
Proposal: Reinstatement of roof over existing walls of feed storage building (7.8m x 5.9m)
Location: Middle Drewson Farm, Moretonhampstead
Decision: No objection

36 **Application No:** 0774/08 **District/Borough:** Teignbridge District
Application Type: Full Planning Permission **Parish:** Manaton
Proposal: Construction of timber framed shed (15.4m x 4.8m) to house biomass boiler and biomass fuel store to supply heating to farmhouse and outbuildings and removal of adjacent pole barn
Location: Torhill Farm, Manaton
Decision: Grant Conditionally. Flue pipe shall be painted black; black corrugated steel roofing material shall have prior approval.

37 **Application No:** 0786/08 **District/Borough:** West Devon Borough
Application Type: Full Planning Permission **Parish:** Sheepstor
Proposal: Conversion of part of outbuilding to form home office
Location: Yeo House, Meavy, Yelverton
Decision: Withdrawn

38 **Application No:** 0787/08 **District/Borough:** West Devon Borough
Application Type: Listed Building Consent **Parish:** Sheepstor
Proposal: Conversion of part of outbuilding to form home office
Location: Yeo House, Meavy
Decision: Withdrawn

39 **Application No:** 0906/07 **District/Borough:** Teignbridge District
Application Type: Approval of Details **Parish:** Ashburton
Proposal: Erection of seven business units with associated access road, car parking and landscaping
Location: Dolbeare Meadow, Ashburton
Decision: Approve Conditionally. Development shall commence before 13 April 2011; tree protection; landscaping; lighting scheme, natural slate roofing material, natural facing stone, timber detailing and samples of all proposed access road, car park and footway surfacing materials (including kerbing) shall have prior approval; species protection; drainage.

CHRIS FRANCE